

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>BANK OF AMERICA, N.A.,</b>	)	
	)	Case No. 21-cv-5201-VB
<i>Plaintiff,</i>	)	
v.	)	
	)	<b>NOTICE OF PLAINTIFF'S MOTION</b>
<b>THIRD AVENUE IMAGING LLC, a</b>	)	<b><u>FOR SUMMARY JUDGMENT</u></b>
New York limited liability company,	)	
<b>UNIQUE THIRD AVE LLC, a New York</b>	)	
limited liability company, <b>UNIQUE</b>	)	
<b>IMAGING SERVICES LLC, a New York</b>	)	
limited liability company,	)	
<b>DISTINGUISHED DIAGNOSTIC</b>	)	
<b>IMAGING, P.C., a New York professional</b>	)	
corporation, and <b>JOEL REISMAN, an</b>	)	
individual,	)	
<i>Defendants.</i>	)	
	)	

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**PLEASE TAKE NOTICE** that plaintiff Bank of America, N.A. (“*BofA*” or the “*Plaintiff*”) will move this Court by motion (the “*Motion*”) at the United States District Court for the Southern District of New York located at 300 Quarropas Street, White Plains, NY 10601, before the Honorable Vincent L. Briccetti, pursuant to Fed. R. Civ. P. 56 and Local Civil Rules 7.1, 11.1 and 56.1, for entry of an Order granting summary judgment in favor of the Plaintiff and against the defendants Third Avenue Imaging LLC, Unique Third Ave LLC, Unique Imaging Services LLC, Distinguished Diagnostic Imaging, P.C. and Joel Reisman, on the First, Second, and Sixth Claims of the Amended Verified Complaint dated July 8, 2022 and filed on July 15, 2022 (ECF, Doc. 63).

**PLEASE TAKE FURTHER NOTICE** that the Plaintiff will rely upon its Declaration of Michael A. Samuels affirmed on December 30, 2022, Memorandum of Law in Support of Motion dated December 30, 2022, Affidavit of Matthew J. Hyland sworn to on December 22, 2022, and Statement of Material Facts pursuant to Local Civil Rule 56.1 dated December 30, 2022, and the

Exhibits, thereto, and upon all pleadings, papers and proceeding on file herein.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the briefing schedule directed by the Court Order entered on October 20, 2022 (ECF, Doc.73), any responses to the Motion are due by January 20, 2023 and any replies are due by February 3, 2023.

Dated: December 30, 2022  
New York, New York

**WILSON, ELSER, MOSKOWITZ,  
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[TO DEFENDANTS' COUNSEL]